property in them against the King until he has lost sight of them. If so, the owner of the soil is not in a better position. Moreover, this view is more conducive to fair play. Hence I think in the present case the property in the bees remained in the plaintiff when they alighted on the defendant's tree, for the plaintiff had not lost sight of them, and could identify them. It is true he could not go and take them without being liable for damage (if any) for the trespass. But that did not justify the defendant. The shaking the bees from the tree was an unneighbourly act. I think that it was also illegal, and that if the bees had then flown to the sky instead of clustering on the ground, the defendant would have been liable for destroying the plaintiff's chance of taking his bees. It is analogous to cases where a man driving tame animals (cattle, for instance) trespassing on his land to a great distance, or hunts them off with a fierce dog, in which cases he is liable for the injury, if any, done to the property in the cattle. In the present case, as already mentioned, the wrongful act of the defendant caused no appreciable damage to the plaintiff. The plaintiff trespassed on the defendant's garden, and the defendant, by his illegal interference, trespassed on the plaintiff's property in the bees. It so happened that there was no damage to either party, and each will have to bear his own costs.

One other matter I should mention. The plaintiff urged that great hardship may arise if beekeepers have not a strict right to go upon other people's lands in pursuit of their bees. But I do not think any such hardship need be feared. There may be—perhaps in the order of Nature there must be—a crank, or a hater of bees, here and there, but in this country, with its unparalleled variety of soil, of vegetation, and of animal life, people are not in the least likely to refuse reasonable access or to be wanting in hospitality to those who exercise the attractive and profitable art and industry of keeping honey bees.

IN VACATION.

He Wanted to Marry Again.

SAMUEL RICE, Petitioner.
vs. In Chancery.
ANNIE RICE, Defendant.

To the Honorable H. A. Sharpe, Judge of the City Court of Birmingham, Alabama. In Equity.

Your Petitioner, Samuel Rice, of Mobile, Alabama, would differentially represent:

That on the 10th day of January, in the year of grace, 1891, your honor dissolved the connubial ties theretofore existing between petitioner and his consort, Annie Rice, granting her divorce a vinculo matrimonii, with beatifice privilege thereto annexed of marrying

again—a privilege which, it goes without saying, she availed herself of with an alacrity of spirit and a fastidious levity disdaining pursuit. But on this vital point your Honor extended to petitioner only the charity of your silence.

Petitioner has found in his own experience a trustful exemplification of Holy Scripture that it is not good for man to be alone, and seeing an inviting opportunity to superbly ameliorate his forlorn condition by a second nuptial venture he finds himself circumvallated by an Ossa-Pelion obstacle which your Honor alone has the power to remove.

His days rapidly verging on the sear and yellow leaf; the fruits and flowers of love all going; the worm, the canker, and the grief in sight, with no one to love and none to caress him, petitioner feels an indescribable yearning, longing and heaving to plunge his adventurous prow once more into the unvexed waters of the sea of connubiality.

Wherefore, other refuge having none, and wholly trusting to the tender benignity and sovereign discretion of your Honor, petitioner humbly prays that in view of the accompanying fiats of a great cloud of reputable citizens giving him phenominally good name and fair fame, you will have compassion upon him and relieve him of the mortifying hymeneal disability upon which his existence has become a burden, by awarding him a like privilege of marrying again; thus granting him a happy issue out of the Red Sea of troubles, into which pitiless fate has whelmed him.

For comforting as the velvety touch of an angel's palm on the fever racked brow, and soothing as the strains of an Æolian harp when swept by the fingers of the night wind; and dear as the ruddy drops which visit these sad hearts of ours, and sweet as Sacramental wine to dying lips, it is, when life's fitful fever is ebbing to its close to pillow one's aching head on some wifely bosom and breathe life out gently there.

And as in duty bound to attain the possibility of compassing such a measureless benediction, petitioner will ever pray without ceasing in accents loud and earnest as ever issued from celibatarian lips.

JABEZ J. PARKER,
Mobile, Ala.,
Solicitor for Petitioner.

The Dog and the Scriptures.—In a recent case in the court of appeals of Georgia, Judge Powell, in deciding that a city council may lawfully pass an ordinance regulating the keeping of dogs, apparently classifies the dog as the lowest form of animal life. He said: "Holy Writ has but few good words for dogs. Note the unfavorable categories in which they are placed: 'For without are dogs, and sorcerers, and whoremongers, and murderers, and idolaters, and whosoever loveth and maketh a lie.' Rev. XXII: 15. 'Thou shalt

not bring the hire of a whore or the price of a dog into the house of the Lord thy God for any vow; for even both of these are abominations unto the Lord thy God.' Deut. XXIII: 18. 'Beware of dogs, beware of evil workers, beware of the concision.' Phil. III: 2. We have no disposition to take issue with the unbroken current of authority, which says that dogs are under the special watch and ward of the police power. Take our canine citizenship out from under the dominion of the police power, and every municipality which finds itself in the throes of a mad-dog scare will be exposed to the chagrin of seeing its ordinances, hastily drawn to meet the emergency, resisted by defenses and assailed by injunctions predicated upon the thirteenth, fourteenth and fifteenth amendments to the federal Constitution. Shall pointers and setters or yellow curs be the sufficient cause for clash between state authorities and federal courts? Shall a day come when a 'grandfather clause' will be the necessary adjunct to every town dog law?"

BOOK REVIEWS.

Annotations to Volumes 75 to 105, Virginia Reports—both inclusive. By J. D. Hank, Jr., M. A., B. L., of the Norfolk Bar. The Michie Company, Law Publishers. Charlottesville, Va., 1907. Price, $6.00 net, $6.25 delivered.

The debt which the lawyers of the two Virginias owe to the editors and publishers of the Virginia Reports Annotated can hardly be estimated. It enabled those who did not possess a complete set of the reports of the Virginia Supreme Court of Appeals to obtain them at a most reasonable figure; and to those who did possess them, it opened a new avenue to quick search, ready reference and complete and accurate ascertainment of the law up to date on any given subject. The owner of the series had at his command at the expense of very slight labor the means to investigate the value of every decided case and to find the law fully and completely set out.

This series stopped at Volume 75 of the Virginia Reports. The present work begins with that volume and continues the annotation through Volume 105. That the work is well done goes without saying, it having been done by the same brilliant lawyer who was for years engaged almost exclusively in preparing the notes for the Virginia Reports Annotated.

As in those volumes, so in the present all of the Virginia and West Virginia decisions which can refer to the case are collected, setting forth the approval, explanation and criticism of the case and whether it has been distinguished or overruled. References to the Statutes or sections of the Virginia Constitution of 1902 are given where they might tend to modify or seem to be in conflict with the principle set out in the case annotated. A distinct new and valuable feature is the giving not only a reference to the first page but also to the page on which the citation occurs. Referring as it does not only to the monographic notes in the V. R. A. but to the valuable